In three volumes, each comprising up ward of four hundred pages, will be found A History of Matrimonial Institutions from rehistoric times to the present day, by GEORGE ELLIOTT HOWARD, professional ecturer in the University of Chicago (Calaghan & Co.). The ultimate purpose of the book is to trace the development of the family and of marriage in the three homes of the English-speaking race; that is to say, in Northern Germany, in the United Kingcom and in the United States. Pertinent to this purpose is the general question of the genesis of human marriage and of the human family. To understand the modern aspects of marriage it is needful to appeal to the general sociological facts surround ing its origin and its early history among the races of mankind. To the elucidation of this subject is devoted the first part of this work, which covers about two hundred and fifty pages of Dr. Howard's first volume. In the course of his discussion of primitive matrimonial institutions he discusses at some length the "patriarchal" theory associated with the name of Sir Henry Maine; the theory of the "horde" and "mother right," propounded by Bachofen, and adopted in a more or less modified form by Morgan and McLennan; and, finally, the theory of original "pairing," or of a primeval monogamous family, advocated by Darwin and Spencer, and upheld by Starcke and Westermarck. It is this preliminary section of the extensive work before us to which we shall here confine ourselves, reserving for a subsequent notice the two and a half volumes allotted to a chronological and philosophical study of matrimonial institutions in England and the United States:

It was Sir Henry Maine, who, in his fa-mous book "Ancient Law," which appeared in 1861, asserted that the "effect of the evidence derived from comparative jurisprudence is to establish that view of the primeval condition of the human race which is known as the Patriarchal Theory." As conceived by Maine, the primitive family was substantially the Roman family, not in all respects as the latter appears in the historical period, but as it is supposed to have been constituted before the process of transformation and decay began. It was a much more extended group than is the modern family, embracing as it did, under the headship of the eldest valid male parent, all agnatic descendants (i.e., all descendants traced through males only) and all persons united to it by adoption, as well as slaves, clients and other dependents. The power of the house father was most despotic, and was exercised during his entire lifetime, not only over the unmarried daughters but also over even the married sons and their wives and children. Thus it is said that originally the Roman paterfamilias had power of life and death over his children He might sell them into slavery; while, on the other hand, his sons, even those who might hold the highest offices of State. could originally hold no property. The patriarch was king and priest of the household. Maine found evidence of the existence of the patria potestas among the Hebrews, as well as among all the peoples of Aryan stock; and he believed that it would be hard to say "of what races of mer it is not allowable to lay down that the society in which they are united was originally organized on the patriarchal model. Maine conceded, indeed, that the patria potestas in its "normal state" could not be generally a durable institution;" but he held that its former universality may be inferred from certain derivative institutions, such as the perpetual tutelage of women, the guardianship of minors, the relation of master and slave, and especially from agnation (the system of kinship through males only), which is "found almost everywhere," and is, "as it were, a mould," retaining the imprint of the paternal powers after they have ceased to exist. In the patriarchal family as thus con-

stituted Maine thought that we should recognize the "type of an archaic society in all the modifications which it was capable of assuming." From it, as in concentric circles, have been evolved successively all the higher forms of political organization. Everywhere, as at Rome, "the aggregation of families forms the gens, or house. The aggregation of houses makes the tribe. The aggregation of tribes constitutes the Commonwealth." The State is therefore the result of the expansion of its primordial cell, the patriarchal family; and the genealogical organization of society precedes and overlaps the territorial. All these groups, lower and higher, regard themselves as united by the bonds of kinship. As a matter of fact however, the kinship is often not real, but assumed; the actual heterogeneity of blood is explained as the result of the fiction of "adoption," by which re lationship was artificially extended. Maine could not see how, without this fletion, any one of the primitive groups, whatever were their nature, could have absorbed another, or on what terms any two of then could have combined, except those of absolute superiority on one side and absolute subjection on the other." In other words without the fiction of adoption society could hardly have escaped from its "swad dling clothes." Furthermore, a strong motive for the artificial extension of the family was derived from the worship of ancestors The earnest desire of the ancients for male issue to perpetuate the family rites tended to foster adoption, and probably accounted for the levirate (or marriage of a widow to the brother of her deceased husband' and other similar expedients to provide an heir.

There is no doubt that the theory of the patriarchal family propounded in "Ancient Law." and reasserted with slight modifications in the later writings of Sir Henry Maine, obtained for a time wide acceptance. It was inevitable, however, that a theory which on its face appeared to neglect many remarkable facts everywhere observable in the social life of primitive men should provoke serious doubt. Herbert Spencer was the first writer to subject the hypothesis to illuminative and incisive criticism. He pointed out that Maine had not been guiltless of the "lofty contempt" entertained by civilized peoples for their barbarous neighbors which he himself had censured as a serious error: for he "practically disregarded the great mass of the uncivilized" peoples and "ignored the wast array of facts they present at variance with his theory." Nor did Mr. Spencer deem it safe to assume, as Maine assumed, that "the unquestioning obedience of rude men to their parents is a primary This assumption was disputed by Spencer on the a priori ground that, "though among lower races sons while young may be subordinate, from lack of ability to resist; yet that they remain subordinate when they become men cannot be assumed as a uniform and therefore as a primary This objection Spencer sustained fact." by references to many savage or barbarous tribes, among which parents have been observed to exercise little or no control over the children. He also showed it to be by no means established that as a matter of fact "the history of political ideas begins with the assumption that kinship in blood

political functions." Spencer asserted that, on the contrary, political cooperation arises from the conflict of social groups with one another:" and though it may be facilitated by a feeling of common descent examples of political combination on the part of primitive peoples might be produced in which relationship was not considered. Furthermore, the author of the Evolutionary Philosophy pronounced it hard to conceive how so advanced a conception of government as is implied by the patria potestas could exist in the "infancy of society;" and it was declared to be as yet unproved that in the primitive state the individual is "entirely lost in the family group, which holds all property in common. Instances of "personal monopoly of property" among low races were shown not to be wanting. Finally, the assumption that in the primordial state women remained in perpetual tutelage was averred by Spencer to be without foundation. Mr. J. F. McLennan, for his part, attacked

the patrirachal theory in its very stronghold:

to wit, the laws of the Hebrews and the

primitive customs of the Indo-Germanic

peoples. Among none of the Aryan races

the Romans only excepted, could be find the patria potestas, or the strict rule of agnation; while among them all, as he believed, was disclosed abundant evidence of original promiscuity and of the superposition of the maternal system of kinship Even the Hebrew Scriptures, wherein Maine had perceived "the chief lineaments' of the patriarchal society, not only fail, in McLennan's opinion, to reveal the patria potestas and agnation, but bear witness to beena" marriage and the recognition of kinship in the female line. By "beena" marriage is meant a peculiar institution existing in Ceylon, in pursuance of which a young husband leaves the family which is his by birth and passes into the family of his wife, to which latter he belongs as long as the marriage subsists. The children belong not to him, but to the family of their mother. The man leaves father and mother as completely as, where the patriarchal family prevails, a bride would do. McLennan was undoubtedly mistaken in supposing the marriage of Jacob with Laban's daugh ters to have been an example of the "beena" institution. What we witness in the case of Leah and Rachel is evidently that form of wife purchase called "marriage by service." After Jacob had served the prescribed number of years for Leah and Rachel, he took them away from their father, and set up what seems to have been a patriarchal family of his own. While, however, Jacob's relation to Laban was misinterpreted, there is no doubt that the principal conclusions of McLennan were sustained in a striking way for a sister branch of the Semitic race by the researches of Wilken and Robertson Smith into the cient Hebrews did not have agnation in the strict sense of the word; yet it is certain hat they "traced descent from the father for the purposes of what we may call rank. or a feeling of caste," and this was the source of paternal power. Among them the house ather exercised a high degree of authority over his wives and children, even though

n the rigorous meaning of the term. It must, in fine, be admitted that criticism of Maine's patriarchal theory has been successful as regards general results. His critics appear to have demonstrated beyond question the complex and highly artificial character of the Roman family, which, far from being the type of early social organization, must be recognized as relatively modern and ill-fitted to the condition of primitive men.

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ne can scarcely be regarded as a "patriarch"

Let us now look at the theory of the "horde" and "mother right" put forward by Bachofen and his disciples. In the same year which witnessed the publication of "Ancient Law" appeared a book which, though deficient in scientific method. was destined to have extraordinary influence, and to give a new direction to speculation and research. This was the Mutterrecht of the Swiss scholar Johann Jacob Bachofen, a work the material of which was drawn mainly from two sources: he fragmentary notices of the rules of kinship and the matrimonial customs of various beoples handed down from ancient writers, supplemented to some extent with similar accounts by modern travellers and fanciful interpretation of the supposed symbolism of religious myths, particularly those of the Greeks. The author first discussed the description of Lycian customs given by Herodotus and others, a description which, in Bachofen's opinion contains the clearest and most cogent evidence of the existence and character of Mutterrecht. Then followed a presentation of the evidence derived from Crete, Athens, Lemnos, Egypt, India and Central Asia, Orchomenos and the Minyœ, Epizephyrian Locris, Elis, Lesbos, Mantinea, the Cantabians and from the Pythagorean system.

According to Bachofen, there are thre reperal phases in the evolution of human sexual relations. The first is the period of aphrodistic hetairism, in which men and women live together in common the second is the period of demetrian mother-right, or gynocracy, in which kinship and succession are in the maternal line, and woman gains religious and political supremacy; and the third, the period of patriarchate, or apollonistic father-right. in which the more spiritual principle of paternity is triumphant. Each of these periods is regarded not as a sporadio phenomenon, but as a universal culture stage. In the first phase, that of unregu lated sexual communism, material mother hood is the essential fact. Fatherhood is necessarily uncertain. There is no conception of kinship between father and child. Woman, it is assumed, is a prey to the sexual tyranny of man, and it through her successful revolt against the bondage of unbridled hetairism that she attains the second stage of progress The period of demetrian gynocracy is herefore, represented as a turning point or transitional phase through which mankind passes in its upward movement from the lowest to the highest status. With i the rudiments of marriage appear, but combined with hetairism surviving in various forms or gradations. It is the woman, and not the man, who at this stage of social evolution obeys a marriage law. Indeed, strict marriage, or the exclusive appro priation of a woman by one man, is still looked upon as an abridgement of a natural or religious right, for which expiation must be rendered to the goddess whose law is violated. Only thus, as a penalty or composition for the privilege of restricted intercourse, can be rationally explained those strange astoms, so often found surviving (at Babylon and elsewhere) in connection with legal marriage.

It will be observed that Bachofen's theory ssumes, as a universal fact in social evolution, that a period of promiscuity and oppression of the female sex is invariably followed not merely by an age of mother right, involving as a necessary consequence of the continued uncertainty of fatherhood the recognition of kinship only in the maternal line but also by an age of gynocracy. or feminine rule, involving the social leader-

and even military subordination of m Woman first emancipates herself and then becomes an Amazon. Weary of man's sexual tyranny, she first experiences a nging for a securer position and a pure existence. The feeling of shame and the rage of despair inflame her to armed resistance. Having nerved herself to become rival to man, the Amazon gradually "became hostile to him, and began to withdraw from marriage and from mothergood. This attitude set limits to the rule of women, and provoked the punishment of heaven and men. Thus Jason put an end to the rule of the Amazons in Lemnos: thus Dionysos and Bellerophon strove together, passionately, yet without either obtaining any decisive victory, until Apollo, with calm superiority, finally became the conqueror;" and so the purer principle of fatherhood prevailed and the era of fatherright appeared. As Bachofen admits, the assumption that woman ever gained supremacy over man arouses our astonishment, because the fact is contrary to what we should expect from their relative physical powers. According to Bachofen, however, the paradox is easily explained. "At all times woman has exerted the most powerful influence upon man, upon the culture and morals of peoples," through the instinctive direction of her mind toward the supernatural, the wonderful and the It was through her possess the mysteries of religion that, for a time she deprived man of the superior position which Nature had given him. "Religion is the only efficient lever of all civilization. Each elevation and depression of human life has its origin in a movement which begins in this supreme department." Again: Just as the child receives its first discipline from the mother, so do peoples receive it from woman. The man must serve before he can attain supremacy. To the wife alone is it given to curb the otherwise unbridled power of man and to guide him in the path of well doing."

Nevertheless, when out of the stage of mother right was developed Amazonism. or the political and military supremacy of woman, a shock was administered to the religious feelings of mankind, just as gross hetairism had proved an offence in the earlier period. Hence arose a striving for the realization of a higher conception of social relations. It was the assertion f fatherhood which emancipated the mind rom the empire of the natural appearances hat had caused the mother to be solely eredited with her offspring; and when the conception of fatherhood had been estabished, human existence was lifted above he laws of ma rial life. "The principle of motherhood is common to all the species of animal life; man alone goes beyond this tie in giving the preeminence to the power of procreation, and thus becomes conscious marriage customs of early Arabia. It is of his higher vocation. By virtue of astrue, too, as McLennan says, that the an- | serting the paternal and spiritual principle he breaks through the bonds of tellurism and looks upward to the higher regions of the cosmos. Victorious fatherhood thus becomes as distinctly connected with the heavenly light personified in Apollo, as prolific motherhood was with the teeming earth, of which the Greek myth made Demeter the guardian." Once more: "All the stages of sexual life, from approdistic hetairism to the apollonistic purity of fatherhood, have their corresponding types in he stages of natural life, from the wild vegetation of the morass, the prototype f communal motherhood, to the harmonic law of the Uranian world, to the heavenly light which, as the flamma non urens, corresponds to the eternal youth of fatherhood. Bachofen's theories, more or less modified have been accepted by a host of faithful disciples, including conspicuously McLennan, and various schemes have been constructed in the attempt to explain the se quence in which the forms of marriage and he phases of the family have historically appeared. Before passing to the theory now preponderant, the theory of "original pairing," which assumes that the human race was originally monogamic, we ought at least to glance at some of McLennan's interesting speculations.

McLennan starts with the assumption. ich, as we shall see h putable, if not erroneous, that man's primiive condition was not monogamic. unions of the sexes were probably, he thinks, "in the earliest times loose, transitory and in some degree promiscuous." There was no clear conception of consanguinity though men may always have been held together by the "feeling of kindred" which arises from "filial and fraternal affection." Everywhere, when society emerges from his condition, kinship is traced in the female line. Originally, paternity is uncertain; hence the recognition of relationship through the mother must, of necessity have preceded the paternal and agnatic system. This order of development, according to McLennan, is never reversed. The conception of kinship through the mother is a social fact of fundamental importance.

Primitive man being relatively helpless the struggle for existence before the invention of the arts and the formation of provident habits must often have been very serious. The instinct of self-preservation, therefore, must have frequently predominated, and there would be little room for the "unselfish affections." In the struggle for food and security, the balance of the sexes would be disturbed. "As braves and hunters were required and valued, it would be to the interest of every horde to rear, when possible, its healthy male children." The weaker sex was doomed to obey the cruel law requiring the "survival of the fittest." Hence arose the common, perhaps general, practice of female infanticide. The result of the disturbance of the balance of the sexes caused by female infanticide was, according to McLennan, Morgan, Marshall and others, a series of customs or phenomena of great sociological interest. In the first place, the natural consequence of the diminution in the number of women would be to enhance their relative importance. Every woman would now have several wooers. Rivalry would be fierce, and Quarrels and divisions within the horde would be of frequent occurrence. These were the first wars for women, and they went to form the habit which established exogamy," or the custom of seeking wives outside the horde or tribe. If complete social disintegration, however, was to be avoided, self-preservation required a compromise. A rearrangement in smaller hordes took place; and so "we arrive at last at groups within which harmony was maintained through indifference and promiscuity;" where women, "like other goods," were held in common; and "children, while attached to mothers," belonged to the horde. We have reached, in fact, as the first result of female infanticide, the "totem gens," or group of totem kindred, having common name, taken from some plant, neavenly body, or animal (totem), whose image was sometimes tattooed upon the body, and sometimes revered as an ancestor,

perhaps as an ancestral god. The next institution, which, according to McLennan and others originated in the scarcity of women, was polyandry, a form of sexual relations which, by the adherents of the horde theory, is regarded as the earliest type of the family, properly so called; a family resting upon marriage, is the sele nessible ground of community in ship of women and eventually the political that is, upon a courtship of men and women

ted by public opinion." This institution, the sporadic existence of which nobody disputes, is of special interest beause in its progressive phases it has been held, as we have said, by some students of sociology to be the medium of transition from the maternal to the paternal and agnatic systems of kinship; and therefore through the stage of contract in the form of wife purchase to modern conceptions of the marriage relation. By McLennan and others polyandry is represented as a universal phase of social evolution, constituting the first general modification of promisquity. Of this institution there are two principal forms, with intermediate stages. In Nair polyandry, the lowest type (which is found in Ceylon, among the Kasias and Saporogian Cossacks and elsewhere), we find the condition of sexual relations bordering closely upon the grossest communism. The "wife lives not with he husbands, but with her mother or brothers; and, under certain "restrictions as to tribe and caste." she is free to choose her husband or lovers, these not being necessarily related to each other. Here kinship and inheriance are, of course, in the female line No Nair knows his father, and every man ooks upon his sister's children as his heirs. In the transition stage of polyandry the wife has a home of her own, cohabiting with her husbands according to fixed rules The highest type of this matrimonial instiution is found in Tibet: in this case there s a close approach to the essential elements of the modern family. The wife lives is he homes of her husbands, who are near relatives, usually brothers. It is the prerogative of the eldest brother to choose he wife. All the children are assume to belong to him. Paternity, is not entirely uncertain, while blood is always known.

A similar type of polyandry, but somewhat more advanced, appears among the Dravidian Todas of India. Here monogamy and polyandry exist side by side. man, for example, may have a wife exclusively his own, while his brothers may choose one in common. Usually, when one brother has taken a woman to wife and paid the dower to her parents, the other brothers or very near relatives, all living together, may gain the rights of a husband "if both he and she consent," by providing their respective shares of the which almost always consists of from one to four buffaloes. According to Marshall, "no Toda females, whether married or single, possess property, but under all circumstances of life are supported by their male relations, being fed from the common stock." Moreover, there exists a kind of levirate: "in order to avoid the complications that would arise in the matter of food and the guardianship of property from the remarriage of a widow if she entered another family, taking her children with er, either a brother or other near relation of her deceased husband takes her to wife. She "remains in the family" is the Tods expression. "Now," says Marshall, "if we consider that one or more brothers may each become the husband of separate wives by virtue of having each paid a dower, and that younger brothers as they grow to the age of maturity, and other brothers as they become widowed, may each eithe take separate wives or purchase shares in those already in the family, we can at once understand that any degree of complication in perfectly lawful wedded life may be met with, from the sample of the single man living with a single wife to that of the group of relatives married to a group of wives. We begin to see, also, why tribes following polyandrous habits endeavor to prevent further complications by making widows remain in the family." It follows that even here economic motives are influential in moulding matrimonial institutions. The same motive, to wit, the scarcity of subsistence, was likewise the main cause of the very extended female infanticide which widely prevailed among the Todas previous to 1822, when the Madras Government "put a pressure on the Todas, in order to impel them to forsake their murderous practice." It was formerly the custom among them to "smother all daughters in every family except one or sometimes two." The Todas are an in-and-in breeding people.

According to McLennan, Morgan, Marshall and others, it was through polyandry that the transition to the paternal system of kinship became possible, and, soon or late, usually took place. Among the Todas. for instance, father-right is fully established. In Tibet the inheritance goes to the brothers in the order of birth; and failing these to their eldest son, who, as we have seen, is often known to be the eldest prother's child. This rule, it has been argued, might lead easily to agnation. Nevertheless, the primitive custom of motherright was tenacious. Resisted by the gentile organization and the blood feud, the ransition to father-right was slow and painful. Eventually the transition was facilitated by contract and initiation. A woman might be bought with the understanding that the children should belong not to her own clan, but to that of her husband Or, when contract alone was not sufficient to overcome the resistance of religion and of lood feud, the same result might be obained by purchase, followed by initiation into the sacred rites of the husband's kindred. Moreover, as in Tibet and among the Todas, wife purchase, or its survival sometimes found in connection with polyandry. McLennan, for his part, believed that Tibetan polyandry has been nearly, if not quite, universal, and that it represents an "advance upon the Nair type." Many evidences of its alleged actual existence in present and former times are adduced by him; and where he institution itself is not found, reliance s placed upon the presence of certain cusoms, such as the Nivoga, or the "appointed daughter" of the Hindus, or the Hebrew levirate, or the inheritance by brothers, which are held by McLennan and others to be its survivals.

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Neither Maine's hypothesis of the patriarchate nor Bachofen's theory of mother-right can now be said to hold possession of the field. The researches several recent writers, notably those of Staroke ("Primitive Families", 1889), and Westermarck ("Human Marriage," 1891), confirming in part and further developing the early conclusions of Spencer and Darwin, have established the probability that marriage, or pairing between one man and one woman-though the union may have been often transitory, and the rule may have been frequently violatedhas been, from the infancy of the human race, the typical form of sexual union. It must be clearly borne in mind, however, that though the pairing or mono gamic theory is strongly supported and highly probable, it is still only a theory, and has not yet reached the stage of absolute demonstration. Dr. Howard, for his part, nevertheless, is not disposed, as are some critics of Starcke and Westermarck. to set aside the researches of the upholders of this hypothesis as being superficial and deficient in true scientific method for he points out that the champions of the opposite doctrine of primitive communism are nothing if not daring, and their sweeping generalizations often rest solely on comparatively few "survivals" of alleged conditions which in a strict sense of the word are "prehistoric." But while the theory that monogamy was the primends itself to the author of this work, he at the same time concedes that if in the end the hypothesis of original promiscuity must be aban doned, and the pairing or monogamous fam ily accepted definitely as the original social unit, this is not because of any spiritua or moral superiority on the part of man as compared with other animals, but be cause sexual communism, conceived as a primitive and universal phase of life, seems nconsistent with the biological, economic and psychological laws which have determined the general course of organic evolution. "If," says Westermarck, "we want to find out the origin of marriage, we must strike into a path which is open to him alone who regards organic nature as one continued chain, the last and most perfect link of which is man. We can no more stop within the limits of our own species, when trying to find the root of our psychical and social life, than we can understand the physical condition of the human race without taking into consideration that of the lower animals."

The principal arguments advanced

against the existence at any time of a general state of promiscuity are three. First is the so-called zoölogical argument, based on a comparison of the sexual habits and institutions of animals with those of the lowest races of men. The lives of the lower animals reveal a great variety of sexual relations. The lowest type of such relations is that of unlimited promiscuity Among the invertebrates the preservation of the young is left almost wholly to chance the duties of the parents being limited mainly to the functions of reproduction. The chelonia or tortoise group, on the other hand, are "known to live in pairs;" and here among animals we reach the first trace of the family properly so called. The chelonia form with regard to their domestic habits a transition to the birds, most of which, with the notable exception of those belonging to the gallinaceous family, are monogamic. With the lower mammals the union of the sexes is usually of short duration, but among the higher species of this order examples of monogamic marriage are not infrequent, such being the case with animals of prey. As a rule the quadrumana live in pairs. Among the anthropoid ages the gorillas furnish occasional exceptions, for they are said sometimes to be polygynous. Even among them, however, monogamy is most common. The orang-outang and the chimpanzee live in monogamic families. It is at least certain that promiscuity is far from

universal in the pre-human stage. The zoological argument for the pre human origin of the elements of marriage and the family does not rest merely upon precedents of sexual habits. It is rather upon the entire experience of animals in the hard struggle for existence. Hellwald maintains that the need of economic cooperation had even more lasting results than the pairing instinct. Vignoli arrives at a similar conclusion: "It is the necessity of rearing the young which unites the parents and gives them a common life for a shorter or longer period; indeed, in some species this marriage of love and care continues throughout their whole existence Hence the fact of family sociality is not an exclusive product of mankind, but of the universal laws of all animal life upon the earth." The monogamic family has been evolved in conformity to cosmic laws governing a great part of the reproductive and social activity of the animal kingdom. This is the zoo logical ground of Westermarck's belief that marriage was probably "transmitted to man from some ane-like ancestor, and that there never was a time when it did not occur in the human race." The second or physiological argument

rests upon the evidence adduced by Sir Henry Maine that promiseuous intercourse between the sexes tends to a pathological condition very unfavorable to fecundity; and infecundity, amid perpetually belligerent savages, implies weakness and ultimate destruction. Monogamy was therefore a highly useful if not indispensable condition of success in the earliest stages of man's struggle for existence. According to Westermarck, an even stronger objection to the hypothesis that promiscuity was the primeval type of sexual relations is derived from the psychical nature of man and other animals. This third or psychological argument postulates the universal prevalence of sexual jealousy among the races of mankind. Darwin declared that this passion is found among all male quadrupeds with which he was acquainted, and came to the conclusion, therefore, that looking far enough back in the stream of time, and judging from the social habits of man as he now exists, the most probable view is that men lived aboriginally in small communities, each with a single wife, or, if a man were powerful, with several wives. who were guarded jealously against all other men." Mr. Finck, indeed, in his "Primitive Love," has presented a number of facts tending to indicate an absence of true jealousy among low races; but the array of counter proofs is overwhelming. As the final outcome of his comprehensive and minute examination of the question from zoölogical, physiological and psychological viewpoints, Westermarck arrived at the conviction that there is "not a shred of genuine evidence for the notion that promiscuity ever formed a general stage in the social history of mankind.

discussion—a review to which 150 pages are allotted-Dr. Howard inclines to concur with Starcke and Westermarck in holding that pairing has always been the typical form of human marriage, and that early monogamy took its rise beyond the border line separating man from the lower animals Considering, however, the undeniable aberrations from the original type, he would not deny that development has been in a circle At the dawn of human history individual marriage prevailed, though the union was not always lasting. In later stages of man's advancement, under the influence of property, social organization, social distinctions and the motives to which they gave rise various forms of polyandry and polygyny made their appearance. Nevertheless, nonegamy, considered as the type, has never been superseded. As Westermarck nas pointed out, at the most advanced stage of culture, under pressure of the influence which have led to the social elevation of woman, polygyny invariably yields to monogamy: "When the feelings of women are held in due respect, monogamy will ecessarily be the only recognized form of narriage. In no way does the progress of mankind show itself more clearly than in the increased acknowledgment of women's rights; and the causes which, at lower stages of man's development, may make oolygyny desired by women themselves, do not exist in highly civilized societies The refined feeling of love, depending chiefly upon mutual sympathy and upon appreciation of mental qualities, is scarcely compatible with polygynous habits."

At the close of an extended review of the

No student of matrimonial institutions can afford to overlook this work. The amount of learning condensed in Dr. Howard's three volumes is enormous. The hibliographical index alone occupies abou 140 pages, and the author's foet notes fur-

mish conclusive proof that the innu authorities have been not only cons but thoroughly examined. The task must have exacted the assiduous labor of many Years.

Horace Once More.

Of translations of Horace, rhymed or unrhymed, in metre or in prose, there is no end, and let us hope there never will be for when men cease to try to reproduce him in their mother tongue they will have ceased to read him. A decisive proof of appreciation and sympathy on the student's part is the irresistible longing to trans fer the impressions made by the original to another literary medium. It is doubtful whether any man who really loves Horace has resisted the temptation. We are glad that Mr. CLARENCE CARY has yielded to it in his book, privately printed, and entitled Horace: His Life, Friendships and Philosophy, as Told by Himself. An attempt is here made to set forth an autooiography of the poet, so far as this can be extracted from his own writings. To this end a large number of excerpts are arranged, not in the order in which the poems om which they are clipped saw the light, rut in the chronological order of the allusion to the writer's birth, education, youthful career and adult experience. This being Mr. Carv's primary aim, he has deemed it indispensable never to lose sight of literal accuracy. The Latin text of every passage quoted will be found on the left hand page while on the right hand page is placed an English version, in which not only is rhyme eschewed, but a studious effort is made to resent the English counterpart of every Latin word in the order and phrase combination of the original. This is, so far as we know, the first en-

deavor to relate, through the poet's own mouth, the incidents of his life, though more than one lover of the Venusian bard has essayed to indicate by extracts the various stages in the poet's intellectual and moral development, from his earliest ambition to write Greek verses to his later and deliberate emulation of Lucilius. The boy was wiser than the man, for Horace's claim to be prized as a poet rests on his Odes, in which not only Greek metres, but Greek feeling, Greek thought and the Greek atmosphere are reproduced, in spite of the fact that the specific purpose of more than one of these lyrics was distinctly national and patriotic. It is not the Odes, much less the Epodes, that we have in mind, but the Satires and Epistles, when we think of Horace as a moralist, as a wise and genial man of the world, as a keen observer and veracious painter of human life. Mr. Cary would be quick to acknowledge that he would have to make different excerpts from these here collected, and to put them in a different order, if he wished to trace the growth of Horace in elevation of sentiment, and in serious conviction, from his invenile ridicule of Stoical paradoxes to his virile appeal to the strongest Roman instincts of fortitude and self-sacrifice. Still another order might have to be chosen if one would mark the gradual change from the early declaration of Epicurean unbelief to the sympathy ultimately exhibited with the religious reaction fostered by

Augustus. Because unswerving and almost extravagant literalness, in respect not only of the original's meaning, but of its words phrases and order, is the characteristic of Mr. Cary's version, it is not to be inferred that he could not, had he chosen, have rendered the Horatian lyrics in graceful rhyme. Take, for instance, the fifth ode of the first book of Odes. The well known Latin runs: Quis multa gracilis te puer in rosa Perfusus liquidis urget odoribus

Grato, Pyrrha, sub antro ? Cui flavam religas comam Simplex munditlis? Heu quoti-Simplex munditils? Heu quoties fidem Mutatosque deos fiebit et aspera Nigris equora ventis Emirabitur Insolens Mr. Cary's literal translation follows: Vhat slender young stripling, amidst many rose.

odorous liquids, pursues thee, O Pyrrha, in grotto delightful? For whom thy fair tresses entwin'd are With art of the simplest? Alas, how oft faith, and Mutations of gods—when his erstwhile calm ocean is roughened by blackest of storm winds-Amazed, he'll deplore soon!

In an appendix, however, will be found rhymed translation of the same lines: What slender youth, aloof, where dew-starr'd Their perfumed balm within thy grotto, woos

thee hence,
O Pyrrha, of the golden-braided head, And studied innocence?

Alas, how oft, lost faith, the frown of changing

gods. Shall he deplore, when his erst placid, favoring sea May, whilst he wantons dreamingly, and nods,

Darkened with tempests be! Although, in his translations from the satires and Epistles, Mr. Cary aims-and cometimes with a fair measure of success o preserve the dactylic hexameters of the original, he makes scarcely any effort to reproduce the Alcaic and Sapphic metres hich were such favorites with Horace in he Odes. Take, for instance, the familiar fourteenth ode of the second book. The Latin is:

Eheu fugaces, Postume, Postume Afferet indomitæque morti. It will be observed that our author's ranslation keeps in the first line the metre f the original:

An how they fly now, Postumus, Postumus Our on-gilding year-times! No plety hinders
The furrows and grasp of old age, or
May fend off implacable Death e'er! Let us see whether it be not possible to etain the Latin metrical scheme in the

whole of the four English lines:

Ah me! Too swiftly, Postumus, Postumus, The years slip by us. Virtue arresteth not Old age, or wrinkles stealing o'er us. Or the unstayable, drifting deathward. Of the possibility of writing English losics we have had a memorable proof in Tennyson's "Ode to Milton": O mighty mouth'd inventor of harmonies O skilled to sing of Time and Eternity.

God-given organ voice of England. Milton, a name to resound for ages! Whose Titan angels, Gabriel, Abdiel, Starr'd from Jehovah's gorgeous armories. Shout till the deep domed empyrean Rings to the roar of an angel o

Mr. Cary ranges himself, as we have seen on the side of literalness in translation and there is undoubtedly a great deal to be said for that view of the matter. Some of us, nevertheless, concur with John Dryden in thinking that a translator's prime duty to his author is to be true in deed to his sense, but "truer to his fame." Let us set side by side concrete examples of the two methods, though we shall not be surprised if Mr. Cary protest at the particular comparison; for, in the passage to be quoted, Dryden is generally admitted to be the only man who has improved on the original. We cite, first, in the Latin the famous eight lines from the twenty-

ninth ode of the third book: Fortuna sacvo lacta negotio et Ludum insolentem ludere pertinax Transmutat Incertos ho Transmutat Incertos honores. Nunc mini, nunc alli benigna. Laudo manentem; al celeres quatit Pennas resigno que dedit, et mea Virtute me involvo probamque

We subjoin Mr. Cary's literal translation:

Fortuna her cruel employment is pleased with: At playing her insolent game aye resolved on.

fransferring her honors uncertain,

Now to me, now another, benignant.

I respect her when constant: at str of her Swift wings I yield all she gave, and within my Own virtue enwrapped, to an honest And dowerless poverty turn in my courtable

Now let us look at the version

same lines by "Glorious John": Portune, that with malicious for Doth man, her slave, oppress Proud of her office to destro Is seldom pleased to bless. Still various and inconstant still. But with an inclination to be ill. Promotes, degrades, delights in strife, And makes a lottery of life.

I can enjoy her when she's kind:

And flaunts, and flouts, and will not stay. I puff the prostitute away. We heartily congratulate Mr. Clarence Cary on his book, for we are sure that the making of it has given him a great deal of pleasure; and the readers whom he will tempt to linger once more on the shrewd insight and worldly wisdom of the Satires and Epistles, or on the exquisite finish of the Odes, and haply to try experiments in translation for themselves, will have cause to thank him for many a pleasant hour.

A Military History of Napoleon.

To his previous volumes on "Great Captains," which have included Alexander Hannibal and Cesar, Col. Theodore Avrault Dodge now adds "Napoleon" (Houghton Mifflin & Co.) in four volumes, of which two are before us. These carry the history through the battle of Friedland to the peace of Tilsit. In his preface Col. Dodge explains why he has put aside Frederick the Great for the time being and written about Napoleon out of the proper order.

The history is military above all; it deals with strategy and tactics, and not with politics. The first 130 pages of the first volume give a rapid sketch of French military organization at the end of the eighteenth century, of the Revolution and of the campaigns that preceded the appearance of Bonaparte. We then meet Col. Dodge's hero and are carried along through his military career. The story moves rapidly, the technical details of Napoleon's fights are explained, with here and there a word of praise or of blame, and the account is very readable. There are many illustrations-portraits, costumes and arms, and, above all, numerous maps and plans to elucidate the comments the author makes on campaigns and battles.

A Nice Change for Nebraska.

There is a good deal of cheerful satire indulged in at the expense of the modern financier and some of his methods in "The Promoters" (Rand, McNally & Co.). The author, Mr. William Hawley Smith, calls his story a novel without a woman. Goldsby and Starleigh are the promoters from whom the book takes its title. They have a scheme There is nothing small about the scheme. either. They discuss it in the opening chapter to the accompaniment of drinks and big cigars. Starleigh once saw a 13-inch gun fired from the broadside of a man-of-war and he noticed that she careened away over to one side for the recoil. That gave him an idea. Archimedes said that he could move the world if he could only find a fulcrum. Starleigh thought that if a battleship could be careened by the recoil of one 13-inch gun, surely the old globe perself could be twisted around a bit by the recoil, if you only had guns enough and fired them from a given spot. It seemed to him that Cherry county, Neb. was the spot. He thought the Nebraskans would welcome anything in the way of a change and would not mind the noise. He proposed to set up 100,000 13-inch guns at intervals of fifty feet in ten rows about six miles apart and then keep on firing them by electricity until the globe began to tote over. "I propose," Starleigh, "to pull the world over exactly twenty-three and a half degrees. That will put the point where the North Pole now is down to where the Arotic Circle at present crosses the 100th meridian, or about the line of the north end of Hudson's Bay. Of course doing that will move that twenty-three and a half degrees on our side, or just about to where Cherry county, Neb., is now. It will put Cherry county on the line of Monterey, Mexico, and push the line of the Tropic of Cancer down to

where the equator is at present." This would also pull China up to where Siberia is now, drag the North Pole up into daylight and put St. Petersburg within about seven degrees of the new North Pole. This last seems almost unkind. St. Petersburg has about all she needs in the way of trouble as it is.

Of course the first thing that Starleigh proposed was to get an option on all the real estate that this revolutionary move would bring into the market. The magnificent possibilities of profit so impressed Goldsby that he swallowed a glass of whiskey and then had a fit. Just how the promoters fared in their efforts to carry out the scheme the reader must discover for himself. Cherry county, Neb., is still in the same old spot.

A Farmer's Guide.

"The Real New York," a work of suppressed humor, written by Mr. Rupert Hughes, illustrated by Mr. Hy. Mayer, and published by the Smart Set Publishing Company, seems to have been designed primarily for the edification and instruction of the agriculturalist from Turkey River, Ia.; Hickory Corners, Mich., and other of the more remote centres of light and leading. Upon a slender thread of story is hung a series of chapters descriptive of New York as Mr. Hughes imagines it. If the book ever reaches the man from Turkey River he will probably think it is the real thing, b'gosh, and should he be brave enough to read it, his knowledge of New York will be like Mr. Samuel Weller's knowledge of London, extensive and peculiar. A study of Mr. Mayer's portraits of New Yorkers scattered through the text will naturally convince him that New York is inhabited by a peculiarly unattractive race of men, mostly of German Hebraic origin and all with heads out of drawing. We should describe Mr. Mayer's men and women as Fliegende Blaetter New Yorkers with the Fliegende Blaetter humor left out. However, the man from Turkey River may possibly be pleased with both the pictures and the text. And, as he is evidently the man the publishers are looking for, there is nothing further to be said.

Women Adepts at Concealing Property

From the Milwaukee Scatinel. Tax Commissioner Bruce has found an honest man. In fact, he claims that several of this species have found their way into

of this species have found their way into the offices of the tax assessors, and his opinion of human nature, he declares, has risea several degrees.

"When I first began this work," said Mr. Bruce yesterday afternoon, "I had a fitsel idea that one-half of the world shirked its taxes and that the other half had none to shirk. My opinion has been changed, however. There have been several cases—as many as five or six—in which men have asked, yes, begged, the assessors to put them on for the full value of their possessions. They seem to take a certain pride in their honesty.

"Women are worse than men, when it comes to concealing property. In many cases they even refuse to permit the assessor to go into the house. As a result the assessor assesses them for more than they could possibly be worth, and thus usually brings the husband to our office with a sworn schedule, as well as an apology for his wife's ruse. as well as an apology for his wife's rude

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